

March 11, 2012

To Members of the Labor Committee,

My name is Pat Tyler. I am here to testify in opposition to H.B. No 5433, An act Creating a Procedure for Personal Care Attendants to Collectively Bargain with the State.

I am the parent of an adult daughter who receives services through the DDS Home and Community Based Medicaid Waiver program. My daughter has been supported using a combination of Waiver Services for the past seven years, which include funds that use a self-directed model. I have written the training program for the staff that have also been used by the agency that supports her. Without a contract, staff I hire for my daughter commit to one year, while I retain some employees that have been with her for over six years. This relationship is intimate and requires a high degree of a variety of skills. I am trusting these individuals with my daughter's safety. I do everything possible to foster and nurture the development of her staff, which has included sending employees to trainings. I spend many hours every week managing her individualized budget and addressing programmatic needs. I, as most other loving families, have dedicated much of my life to ensure that she has a good quality of life. The current model in place has given us the flexibility to recruit, train and determine the wages and benefits that best suit our individual situation. There is no real self determination when you strip away the ability to negotiate wages, benefits and other related categories. Executive Order #10 and this Bill insult the all the hard work that families and persons with disabilities have done in order to responsibly create and support good working staff

This process has been corrupted and excluded the voices of families and persons with disabilities since its inception. I was never informed that Executive Order 10 applied to my daughter's staff, until I received DSS notification in January. The DSS communication referred to "Personal Care Attendants." Recipients of the Waiver administered by the Department of Developmental Services have never used this terminology. I immediately contacted the Governor's Office, the Commissioner of the Department of Developmental Services, Kathy Bruni from DSS – member of working group one, the Governor's appointed assistant to the working groups, Aaron Frankel, and others requesting that a clarification of this terminology be sent to families and their

employees. I made public comment upon this in January to the Quality Care Working Group. Nothing at all was done. At first I thought it was an oversight, but as time went on I came to realize that not informing the employees that these terms included them as employees of DDS services was intentional. Last week at the Information session, the Chairperson of the Quality Working group admitted that a "gap" had occurred with regard to clear communications about who actually was included in this group. She stated that letters clarifying the process would be sent out, but not before the ballot from the Union reaches the employee hands and not before this bill's public hearing. Six months would pass before families, persons with disabilities and their employees understood that Executive Order #10 would apply to them. The meet and confer process, the ballot count (soon to take place) and the presentation of this Bill have taken place under the agenda of the SEIU Union and deliberately operated in a manner to confuse and exclude the very recipients of the Waiver. Since the State of CT began this process, the responsibility of the lack of transparency and information rests with the State. At meetings, stories were shared and evidence produced that indicate unfair, aggressive tactics have been utilized by SEIU in order to obtain the necessary 20% so that a ballot process can begin. The vote scheduled to take place this week is going to take place under a dark cloud of perceived corruption.

Persons with disabilities have voiced their satisfaction with the current system that allows for a portability of individualized money to be spent upon their employees with whom wages, benefits, and trainings are their responsibility, not an arbitrary government appointed panel as the proposed Bill specifies. The bill clearly does not benefit persons with disabilities, which is ironic since that is the purpose of the Medicaid Waiver money. Medicaid money was intended to serve the persons receiving the funds. It is now transparent despite the lack of information given, that the needs of persons with disabilities is not driving this process. As the Union Representative stated at last Wednesday's information session, they are involved to "get more members." If the legislature or the Governor are sincerely interested in raising wages or helping our employees, additional funds can be appropriated to the person with a disability's budgets. I am unaware of any attempt to sit down and ask for meaningful participation on behalf of persons with disabilities. Our attached petition has approximately 200 signatures of individuals that are also voicing their opposition to this bill. The Chairperson of the Quality Work Group cannot explain how this Bill will be funded, other than to state that maybe the Union can get the Legislatures to appropriate more money. Shifting the control of one's money to the Government controlled representing Panel will not benefit the recipients on these Waivers. Good public policy should understand how and why proposed changes will improve the lives of the recipients.

I have been a registered Democrat for 40 years. Our party should stand up for vulnerable individuals and ensure fairness and inclusion in the process. Paternalistic

stances that ignore what persons with disabilities want for themselves has a painful historical perspective. Valarie Kerr states in her research (2011) equality does not exist if one does not have the opportunity or respect to be self determined. Any reduction of decision making for persons with disabilities which includes the determination of wages, benefits or decisions that will directly effect their quality of life is unacceptable. This committee cannot support this Bill in good conscience without inviting persons with disabilities and those with extensive experience and knowledge of the needs of persons with disabilities into the process. We have systematically been excluded . My freedom to analyze policy and make intelligent decisions about what is in the best interest of my daughter cannot be hijacked by anyone. Executive Order 10 cannot silence the outrage families and persons with disabilities feel and will express, as they come to understand all the ramifications of a Bill that places the locus of control into the hands of a State Appointed Panel. What is the motivation for this Bill? Who does Government intend to serve? As the late Wolf Wolfensberger writes in his last published paper "We have to learn whom and what to put our trust in and just as important- when and what not to." I encourage you to educate yourselves on the tremendous upheaval that has occurred in states that have attempted to enact similar legislation, the lawsuits across the country that have been filed, the unnecessary heartache inflicted upon person with disabilities and their circles of support and then to have the political courage to say No.

Please see the attached petition and email regarding the confusion caused by the language in the Executive Order 10.

regarding Executive Order 10



Pat Tyler

Feb 15 2012

to Aaron, kathy.a.bruni, dawn.lambert

Greeting to All, I had intended to also send this email to Mr. Dennis Murphy, but his email is not currently listed on the State of CT website. Please forward him this information.

I am writing to ask that it be placed in the record that I, along with many other families and clients of the Dept. Of Development Service, did not understand that the language "Personal Care Attendants" applied to direct care self hires. As I have communicated to everyone on this email, I believe that due to this confusion, families as well as the employees have suffered a great deal of confusion. Many staff have reported that they did not view communication from the Union as applying to them, therefore they simply disposed of sent or delivered materials. This confusion could have been resolved by additional language that indicated that the term "PCA" was being used to include a wider group of individuals. I believe whatever responses you are receiving from the Union, does not accurately reflect employees that are on DDS Waivers. Although I have communicated these concerns on several occasions, I have not witnessed any additional information being provided to families or direct care employees (now termed PCAs).

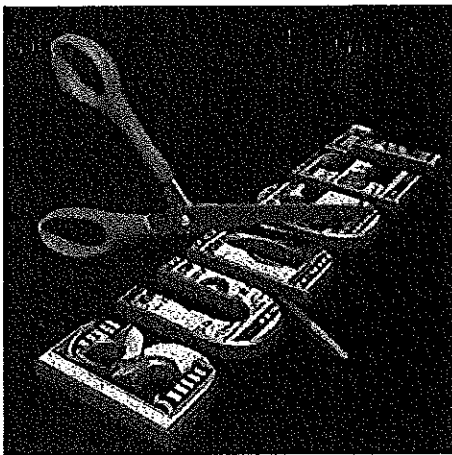
Choice for CT Individuals with Disabilities: Urgent Help Protect individual budget funds.

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1. Manage Your Petition

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2. Signatures

195 out of 200

Petitioning

1. Choice for CT Individuals with Disabilities



3.

Why This Is Important

Executive Order 10 by Governor Malloy has allowed Unions to organize and contact employees of individuals with disabilities, for the purpose of forming a union. We are NOT anti-unions, but we ARE pro-making our own choices. The promises being made to employees does not indicate how and WHERE the funds will come from. This has NOT been done through ordinary legislative process. Individuals with Disabilities will be negatively impacted, if their individual budgets fund the Union benefits promised without the Legislature providing additional funds. CT currently has a 73 million dollar deficit. Individuals with Disabilities and their families can contribute meaningfully to addressing problems related to their support staff and should be included in the process, BEFORE action is taken. There has been a lack of transparency in the process, and individuals with disabilities and their loved ones have a right to fully understand who will fund the Union promises. The term PCA (Personal Care Attendants) was never applied in the community of individuals with developmental disabilities; therefore there has been inadequate time for this population to voice concerns. This is the result of Executive Order 10 by the Governor. Immediate action is necessary, so our representatives understand that we will not passively sit by and allow individuals with disabilities to have cuts to their services. You can copy and paste this link to read the Order.

http://www.governor.ct.gov/malloy/lib/malloy/EO_10_Personal_Care_Attendant_Quality_Home_Care_Workforce_Council.pdf

Actions you can take: 1. Read Governor Malloy's Executive Order 10. 2. Contact the Governor's Office through email or letters ASAP. 3. Email or write your local and state representatives. 4. Write your local newspaper – this can be short and to the point. Individuals with Disabilities want to ensure their budgets are not going to fund Union promises made to PCAs (which include DDS direct care staff).

Petition Signatures

Name	City	State
Pat Tyler		
Bruce Garrison	Ashford	Connecticut
Kevin Tyler	Ashford	Connecticut
	WEST	
Dean Bolt	HARTFORD	Connecticut
Nancy Prescott	Stamford	Connecticut
Eurica Chang	Richmond	Virginia
Kristine R Treat	Bolton	Connecticut
Cindy Hall	Coventry	Connecticut
Chris Donovan	Brighton	Massachusetts

eric ellison	Hartford	Connecticut
Carolann Malboeuf	Woodsstock	Connecticut
Jody Wynn Rodiger	Manchester	Connecticut
	Hasbrouck	
Charlie N Wood	Heights	New Jersey
Chris Adams	Willimantic	Connecticut
	Mansfield	
Robin Gandhi	Center	Connecticut
Laura Kleiner	Springfield	Massachusetts
Dolores Mauro	Southington	Connecticut
Karen Roseman	Fairfield	Connecticut
Barbara Susi	Bridgeport	Connecticut
Thomas Behrendt	New Haven	Connecticut
patrick craffey	hartford	Connecticut
Mary Mohan	Coventry	Connecticut
May Terry	Portland	Connecticut
Jessica Hatfield	East Haddam	Connecticut
Juliet Meyer	Hartford	Connecticut
Margaret (Peg) Dignoti	Newington	Connecticut
	Storrs -	
Carolyn Newcombe	Mansfield	Connecticut
patrese Bielinski	kensington	Connecticut
Pam DonAroma	Kensington	Connecticut
Stan Kosloski	Petaluma	California
Varian Salters	willimantic	Connecticut
Allen Sokolik	Coventry	Connecticut
Dan Hayden	Kensington	Connecticut
Jim Quick	Bristol	Connecticut
Catherine Jortner	Berlin	Connecticut
Anita Tremarche	manchester	Connecticut
Grant Tyler	Ashford	Connecticut
Larry Wood	Wallingford	Connecticut
Richard Nelson	Hartford	Connecticut
Catherine (Cathy) Ludlum	Manchester	Connecticut
Pam Salamone	Cheshire	Connecticut
Linda Meadows	Andover	Connecticut
Christine Welton	Ellington	Connecticut
William Hull	Pomfret Center	Connecticut
Julie Townsend	East Hampton	Connecticut
Valerie Sandin	Haddam	Connecticut
Claire Ratushny	Woodstock Vly	Connecticut
	N.	
Joanne Baker	Grosvenordale	Connecticut
Rob Sampson	Wolcott	Connecticut

Gregory Ludovici	East Killingly	Connecticut
linda schernau	Lebanon	Connecticut
John Underwood	Brooklyn	Connecticut
tal arini	plainville	Connecticut
David Donohue	Dayville	Connecticut
Joseph Stango	Southbury	Connecticut
Therese Nadeau	Glastonbury	Connecticut
	woodstock	
marion davidson	valley	Connecticut
Thomas Aromin	Moosap	Connecticut
Cathy Street	N. Stonington	Connecticut
Sarah White	Thompson	Connecticut
Patrick Hughes	East Lyme	Connecticut
LARINRY ROBINSON	BPT.	Connecticut
Joe McLaughlin	Storrs	Connecticut
Richard Hall	Brooklyn	Connecticut
Charles Blagburn	Putnam	Connecticut
Debbie Barisano	Middletown	Connecticut
Pamela Block	Setauket	New York
Mariette vachon	Plainfield	Connecticut
george ducharme	Manchester	Connecticut
mary caruso	North Branford	Connecticut
Richard Rheault	Oxford	Massachusetts
Paul Tetreault	Danielson	Connecticut
Fred Ruder	Dayville	Connecticut
Janet Bouley	Plainfield	Connecticut
Gretchen Highsmith	North Haven	Connecticut
Chelsea True	Deerfield	New Hampshire
Paulette Blagburn	Putnam	Connecticut
Adam Kesten	randolph	New Jersey
Ann Marshall	North branford	Connecticut
Emily Kelting	New Canaan, CT	Connecticut
Beverly Jackson	Newington	Connecticut
Donald James	Manchester	Connecticut
Andrea Pasquale	Phoenix	Arizona
Ashley Fritzsche	Northampton	Massachusetts
Muriel Tomer	Naugatuck	Connecticut
Alicia Lynde	Wallingford	Connecticut
Eileen Daly	West Hartford	Connecticut
Mona Tremblay	Putnam	Connecticut
Stephen Mendelsohn	New Britain	Connecticut
	WEST	
NORMA NADEAU	HARTFORD	Connecticut

jessica strickland	Coventry	Connecticut
Kenneth Strickland	Ellington	Connecticut
Melissa Cornell	Manchester	Connecticut
Heidi Andreu	Dudley	Massachusetts
Joy Minervini	Waterbury	Connecticut
Pat Beeman	Manchester	Connecticut
Kristen Fournier	Manchester	Connecticut
Walt Glomb	Rockville	Connecticut
Penelope Barsch	Meriden	Connecticut
Dwayne Paul	Shelton	Connecticut
Charlyne Olko	Enfield	Connecticut
The Reverend Ronald Kolanowski	Storrs	Connecticut
lynn tozier	Centerville	Massachusetts
Norm Anderson	Eastford	Connecticut
Joan Kelsey	Manchester	Connecticut
Lois Nitch	Rocky Hill	Connecticut
Penny Litke	Falls Village	Connecticut
Elizabeth Olguin	West Hartford	Connecticut
charlotte scaviola	prospect	Connecticut
Sharon Hall	Stuart	Florida
Alanna Ocampo	New Britain	Connecticut
Dawn Lazaroff	Hampton	Connecticut
Bonnie Cohen	Portland,	Oregon
Bob Warecke	Millford	Connecticut
Assunta Morawski	Norton	Massachusetts
Peggy Bernier	Orlando	Florida
Bill Price	Putnam	Connecticut
Sarah Garrison	ASHFORD	Connecticut
sue mctrottes	anson	Connecticut
ken swan	cheshire	Connecticut
Isabella Nicolaidis	Coatesville	Pennsylvania
Margaret Pieniazek	New Britain	Connecticut
Janice Knudsen	Lebanon	Connecticut
norma lomonaco	mansfieldct.org	Connecticut
Nick Wytas	Andover	Connecticut
Claude Holcomb	Hartford	Connecticut
john Knudsen	Lebanon	Connecticut
Hollie Stephens	Storrs Mansfield	Connecticut
Stan Soby	Colchester	Connecticut
Kathleen Whitbread	Clinton	Connecticut
Deb Chatelle	Dayville	Connecticut
James LoMonaco	Mansfield	Connecticut

kristen prescott	stamford	Connecticut
Lynne Gustafson	Hebron	Connecticut
Emily Hau	New Haven	Connecticut
"Maureen North"	Shortsville	New York
Lynn Wytas	Andover	Connecticut
Linda Lubrico	Bristol	Connecticut
Therese Guay	Southington	Connecticut
		District Of
		Columbia
Brandon Pound	Washington	Connecticut
Jamie Lazaroff	Hampton	New York
Jon Spinac	New York	Connecticut
Deborah Winchell	Colchester	Connecticut
Beverly Niemann	Ellington	Connecticut
elizabeth hagander	stamford	Connecticut
Brenda Gadzik	Coventry	Connecticut
Craig Smith	Columbia	Connecticut
Tom Sullivan	Groton	Connecticut
Bonnie Glow	Storrs	Connecticut
Sallie D'Attilio	Manchester	Connecticut
Linda Romero	Vernon,	Connecticut
linda Vogler	TOLLAND	Connecticut
Rene Bernier	Lexington	Kentucky
SYLVIA HELLSTROM	MANCHESTER	Connecticut
John Vogler	Tolland	Connecticut
Mandy Skomorucha	Wilmington	Delaware
Kristi Maulucci	Coventry	Connecticut
Monica Wytas	Coventry	Connecticut
Cindy Strickland	Coventry	Connecticut
Chris Kozicki	Stamford	Connecticut
Hailee Blanchard	ashford	Connecticut
Laurie Bain	South Windsor	Connecticut
mindy roberge	putnam	Connecticut
Lindsey Richard		
Crystal Hall	New York	New York
Jean Gibb	Cromwell	Connecticut
jodi ouellette	chaplin	Connecticut
John Grossman	Norwalk	Connecticut
Elizabeth Tyler	AShford	Connecticut
Brianna Vear	North Adams	Massachusetts
John Reed	Windsor	Connecticut
james m nordlund	Fargo	North Dakota
christine rothe	ellington	Connecticut
Brian Evarts	Colchester	Connecticut

Isaac Witte	Annville	Pennsylvania
Judy Hopkins	Ashford	Connecticut
Daniel Ellis	Tolland	Connecticut
Philip Cater	Middletown	Connecticut
Roy Holcomb	Oakville	Connecticut
Heidi Zelonka	Willington	Connecticut
Brendan T. Sniffin	Danbury	Connecticut
alex bode	north branford	Connecticut
Ashley Bonet	Storr	Connecticut
Patty Brattoli	Mansfield	Connecticut
Christine Martin	Ashford	Connecticut
Chris Gaynor	Guilford	Connecticut
Rebekah Quimby	New Haven	Connecticut
Allison Gozzo	Simsbury	Connecticut
Karen Pacholski	Colchester	Connecticut
Ellyn Kearney	Pasadena	California
CATHY F	MIDDLETOWN	Connecticut
KEVIN MCLAUGHLIN	MANSFIELD	Connecticut
Gretchen Knauff	Old Lyme	Connecticut
Jane Conlon Hooker	Bloomfield	Connecticut
Gail Taylor	Groton	Connecticut